

ROUTING AND TRANSMITTAL SLIP

Date

9/11/89

TO: (Name, office symbol, room number, building, Agency/Post)		Initials	Date
1. Mr. Art Spratlin, Crim. Coord. - ARTX			
2. Mr. Alan Wehmeyer, Crim. Coord. - WSTM			
3. Mr. John Helvig, Crim. Coord. - ENSV			
4. Mr. Phillip Page, Crim. Enf. Counsel			
5.			

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	<input checked="" type="checkbox"/> For Your Information	See Me
Comment	Investigate	Signature
<input checked="" type="checkbox"/> Coordination	Justify	

REMARKS

Please find attached copies of U.S. District Court trial subpoenas which call for the appearance of EPA - Region VII employees in your Division on November 13, 1989 in support of the M.C. Rose Chemical case. These copies have been supplied for your information and program coordination with supervisors. It is anticipated that I will be personally serving these subpoenas on the individual employees during this work week. ✓

Also, find attached a copy of AUSA Stewart's memo to all witnesses concerning their participation.

Thank you for your cooperation.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
Gregory T. Spalding, RAC	Phone No. X 491

5041-102
 U.S. Government Printing Office: 1987-181-246/60000

OPTIONAL FORM 41 (Rev. 7-78)
 Prescribed by GSA
 FPMR (41 CFR) 101-11.206



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 SUPERFUND RECORDS



U.S. Department of Justice

United States Attorney
Western District of Missouri

549 United States Courthouse
811 Grand Avenue
Kansas City, Missouri 64106

816/426-3122
FTS/867-3122

DATE: September 5, 1989

TO: ALL WITNESSES IN UNITED STATES V. CAROLAN, ET AL.,
Nos. 89-00045-01/04-CR-W-5 and 88-00185-CR-W-5

FROM: J. Daniel Stewart *JDS*
Assistant United States Attorney

SUBJECT: Trial subpoena for Trial Beginning November 13, 1989

We have issued a trial subpoena for you to appear and testify in United States v. Carolan, et al., a criminal case arising out of the FBI-EPA investigation into Martha C. Rose Chemicals, Inc. ("Rose Chemical"). Three defendants, Walter C. Carolan, Jr., James B. Carolan and Dwight E. Thomas, Jr., are expected to go to trial on a 43-count indictment charging them with conspiracy to defraud the United States Environmental Protection Agency (EPA), falsifying records relating to PCB disposal, improper storage of PCBs, and mail fraud for defrauding generators who sent PCBs to Rose Chemical for disposal. Two other defendants, Sharon Hayes and Christopher Gosch, are expected to plead guilty and testify as government witnesses.

The trial is scheduled to begin on Monday, November 13, 1989, and is expected to last three to four weeks. We will not need you to appear on the first day of trial but you will be needed to testify later in the trial. Since this is a criminal case, all witnesses must appear "live" in court, and we cannot use a deposition instead of testimony in person.

We will contact you to go over your testimony before you actually appear in court. As we get closer to trial, we will be able to give you a better idea of when you will be called to testify.

We realize that having to adjust your schedules to come to court may be an inconvenience to you. Nonetheless, we believe this is a very important case, and we will need your cooperation in presenting the evidence at trial.

ALL WITNESSES IN UNITED STATES V. CAROLAN, ET AL.

September 5, 1989

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After you have received your subpoena, please contact Special Agent Jane Mason of the FBI (816/221-6100), Special Agent Greg Spalding of EPA (913/236-2938), Ruben McCullers of EPA (816/426-6179) or Dan Stewart of the U. S. Attorney's Office (816/426-3122) with your day and evening telephone numbers. We will contact you to schedule your pretrial interview and your trial testimony.

Thank you for your cooperation

JDS:jm

SUBPOENA

United States District Court	<small>DISTRICT</small> Western District of Missouri
UNITED STATES OF AMERICA V. WALTER C. CAROLAN et. al.	<small>DOCKET NO.</small> 89-00045-01/02-CR-W-5, 88-00185-01-CR-5
	<small>TYPE OF CASE</small> <input type="checkbox"/> CIVIL <input checked="" type="checkbox"/> CRIMINAL
	<small>SUBPOENA FOR</small> <input checked="" type="checkbox"/> PERSON <input type="checkbox"/> DOCUMENT(S) or OBJECT(S)

TO: Joseph Galbraith
 EPA Region 7
 726 Minnesota Ave.
 Kansas City, Kansas 66101

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above-entitled case.

<small>PLACE</small> 549 United States Courthouse 811 Grand Avenue Kansas City, Missouri 64106	<small>COURTROOM</small> Judge Wright
	<small>DATE AND TIME</small> November 13, 1989 9:00 a.m.

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):⁽¹⁾

☐ See additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

<small>U.S. MAGISTRATE(2) OR CLERK OF COURT</small> R. F. Connor	<small>DATE</small> 09-07-89
<small>(BY) DEPUTY CLERK</small> 	
This subpoena is issued upon application of the: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input checked="" type="checkbox"/> U.S. Attorney	<small>ATTORNEY'S NAME AND ADDRESS</small> J. DANIEL STEWART #32314 Assistant United States Attorney 549 U.S. Courthouse, 811 Grand Avenue Kansas City, Missouri 64106 Telephone: 816-426-3122

(1) If not applicable, enter "none."
 (2) A subpoena shall be issued by a magistrate in a proceeding before him, but need not be under the seal of the court, (Rule 17(a), Federal Rules of Criminal Procedure.)

SUBPOENA

United States District Court	DISTRICT Western District of Missouri
UNITED STATES OF AMERICA V. WALTER C. CAROLAN et. al.	DOCKET NO. 89-00045-01/02-CR-W-5, 88-00185-01-CR-5
	TYPE OF CASE <input type="checkbox"/> CIVIL <input checked="" type="checkbox"/> CRIMINAL
	SUBPOENA FOR <input checked="" type="checkbox"/> PERSON <input type="checkbox"/> DOCUMENT(S) or OBJECT(S)

TO:

Lynn Harrington
 EPA Region 7
 726 Minnesota Ave.
 Kansas City, Kansas 66101

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above-entitled case.

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	DATE AND TIME November 13, 1989 9:00 a.m.

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(BY) DEPUTY CLERK <div style="text-align: center;"> </div>	
This subpoena is issued upon application of the: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input checked="" type="checkbox"/> U.S. Attorney	ATTORNEY'S NAME AND ADDRESS J. DANIEL STEWART #32314 Assistant United States Attorney 549 U.S. Courthouse, 811 Grand Avenue Kansas City, Missouri 64106 Telephone: 816-426-3122

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SUBPOENA

United States District Court	DISTRICT Western District of Missouri
UNITED STATES OF AMERICA V. WALTER C. CAROLAN et. al.	DOCKET NO. 89-00045-01/02-CR-W-5, 88-00185-01-CR-5 TYPE OF CASE <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> CIVIL <input checked="" type="checkbox"/> CRIMINAL </div>
	SUBPOENA FOR <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> PERSON <input type="checkbox"/> DOCUMENT(S) or OBJECT(S) </div>

TO:

Steven Kinser
 EPA Region 7
 726 Minnesota Ave.
 Kansas City, Kansas 66101

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above-entitled case.

PLACE 549 United States Courthouse 811 Grand Avenue Kansas City, Missouri 64106	COURTROOM Judge Wright
	DATE AND TIME November 13, 1989 9:00 a.m.

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